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THE
Irretrievable Abyss:

ADDRESSED TO
BOTH HOUSES of PARLIAMENT, &c.

[Price SIX-PENCE.]

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THE

Irretrievable Abyſs:

Humbly addreſſed to

BOTH HOUSES

OF

PARLIAMENT;

And recommended to the

CITIZENS of *LONDON*

In Particular.

By a *CITIZEN.*

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THE

Irretrievable Abyss:

ADDRESSED TO

BOTH HOUSES of PARLIAMENT, &c.

My Lords and Gentlemen,

IT is evident that people exclaim at things of little moment, and leave those of great, in a manner, unnoticed. A proof of this sufficiently appears, in that no pen equal to the task has as yet been employed in expatiating

upon a ſubject of the moſt urgent nature, and which truly merits the conſideration of the community in general; namely, the perpetual confinement of Priſoners for Debt.

I believe there is no chriſtian country, where laws are ſo ſevere in this caſe as in our own. If it is a man's misfortune to owe more than five hundred pounds to one creditor, it is not in his power (provided he be oppoſed) to obtain his liberty under an Act of Inſolvency; but his oppoſing creditor has it in his breaſt to impriſon him for life, or as long as it may chance to be agreeable to his ſavage will; paying him an allowance fixed by the court, not exceeding the ſum of three ſhillings and ſix-pence *per* week.

To

To think there ſhould be ſuch a power inveſted in one ſubject againſt another is really ſhocking; and I cannot ſee, had there been no ſum limited, what bad conſequences could have accrued therefrom.

Any humane man may judge within himſelf what miſery muſt be ſuſtain'd by perſons confined, who have lived in the world in credit, with only this trifling pittance (ſuppoſing they have the extent of the allowance), to ſupport themſelves and families; and at laſt nothing more can be had of them than their all; ſo that their impriſonment deprives them of being in any ſhape uſeful members to ſociety, purely to

ſatisfy the cruel diſpoſition of an enraged creditor, notwithſtanding their future effects are ſubject to pay their debts.

I am apt to believe many people who have perſecuted debtors, have been themſelves the principal inſtruments of their loſing their properties, merely by ſeverity; it being well known, that a gaol pays no debts.

There is no man of reflection but muſt think theſe people's caſe very hard; but, when I make it appear that there are ſome of our fellow-creatures even in a worſe, how muſt it make a feeling heart ſhudder! I mean bankrupts, who are impriſoned,

and cannot obtain their certificates. In this caſe, although a man has given up his all, a mercileſs creditor, who can prevent his obtaining number and value, by not coming into the ſtatute, or only proving part of his debt under it, may impriſon him for life; he being entirely excluded the benefit of all acts, and having no allowance whatever for his ſubſiſtence.

I have frequently heard it ſaid, ſurely theſe people muſt have committed ſome fraud under their commiſſion, by ſecreting their effects; but thoſe verſed in theſe affairs, know well it is not ſo; for if that was the caſe, it is a capital crime, being felony without benefit of clergy,

gy, and they would conſequently be hanged.

The unfortunate man is more likely to fall into this irretrievable Abyſs than the deſigning knave; it being very well known that few certificates are obtained, where matters are not properly ſettled (as it is termed) beforehand.

Why theſe people were excluded the Act of Inſolvency is amazing: I cannot ſee any reaſon, except it was the ſum of money, which paſſes through a certain great man's office (who has lately reſigned) before the certificate can be obtained. They undoubtedly had a prior right to it, having given up their all, which the inſolvent

inſolvent did not, until he obtained his liberty in conſequence thereof; excluſive of his having his creditor's effects to ſubſiſt upon, during the time of his confinement.

There certainly muſt be a great deficiency in the act not to provide againſt this cruelty, by obliging creditors to come under commiſſions, or making bankrupts perſons free from arreſt, and their future effects liable.

Now I am treating of the ſubject of bankrupts confined, I cannot paſs entirely unobſerved the ſituation of thoſe who cannot obtain their certificates, although they may even have their liberty; which ſituation I am con-

convinced muſt be thought very deplorable by every compaſſionating man, and even repugnant to the laws both of nature and reaſon.

The obtaining of a bankrupt's certificate depends chiefly on the diſpoſition of a principal creditor, or any other of them, that can, by their debt, prevent his obtaining four fifths of number and value; as it is notoriouſly known by frequent inſtances, that although the ſchedule has been indiſputable, and the bankrupt's misfortunes plainly proved to have been occaſioned by ſevere loſſes, &c. as alſo the dividend conſiderable; yet one obdurate man would never, by any perſuaſions, or conſideration of the miſery of his fellow-creatures, or the

the many accidents in life mankind in general are ſubject to, be prevailed upon to ſign it; ſo that it does not ſo much depend upon the honeſty of the bankrupt, as the caprice of the creditors.

The moſt ignorant cannot but know that no perſon will give credit to a man under theſe cruel circumſtances; therefore the moſt adviſeable ſtep he can take, is voluntarily to baniſh himſelf from his native country for life, to prevent the miſeries of ſtarving or perpetual impriſonment; as it is in any creditor's power, upon giving up his right under the commiſſion, to arreſt him, and fix him in the lamentable ſituation before mentioned.

I will even ſuppoſe this man abroad, where he is unknown, and that he has gained a little credit, and that, by the help of the ſaid credit and his own aſſiduity, he may have raked together a little money, and, that he is likewiſe willing to give it up under an Act of Inſolvency, whereby other fugitives are relieved, who have delivered up none of their effects to their creditors; yet, ſuch is the hard lot of this unhappy creature, that notwithſtanding he is ſo inclined, it is not in his power to be benefited thereby, as he is moſt unnaturally excluded therefrom.

I beg leave to apologize for this digreſſion from my ſubject; but as there

there are many unacquainted with the hardſhips attending bankrupts in general, I hope this recital of the calamities of thoſe who are not impriſoned (whereby people will be able to judge of their miſery), will not be diſagreeable to my compaſſionate readers.

Let any humane man look into our priſons, and he will find many objects in this loſt condition; ſome, I am credibly informed, have lain many years, and have not the leaſt hope of redemption.

A felon tranſported for life is in a happy ſituation compared with theſe poor wretches; enjoying as he does the warmth of the all-chearing ſun,

breathing the freſh air, and having wholſome food to nouriſh him. The two firſt of theſe the debtor is entirely deprived of, being cloſely immured; and unleſs he has friends, or has ſecured effects ſufficient to ſupport him, he muſt want the neceſſaries of life.

The ſeverity of laws may occaſion frauds, but will never prevent them: and it is univerſally believed that a diſtreſſed ſituation (particularly when conjoined with ſo horrible a proſpect) may inſtigate a man to an action, otherwiſe foreign to his ſoul. There is therefore a great excuſe, when duly conſidered, for people under theſe circumſtances, who may have ſecreted effects to prevent their ſtarving.

Let

Let every man in trade ſeriouſly weigh this within his boſom, and conſider that it may poſſibly be his own unhappy caſe; as many men, by inevitable misfortunes, are often, from affluent fortunes, reduced to the loweſt ebb of miſery.

Any man who impartially reflects, cannot but allow that it is natural to imagine that, in general, the nobleſt ſouls are moſt likely to meet with misfortunes, as their benevolence excites them to believe every perſon they meet to be of the ſame diſpoſition as themſelves. How many are undone purely by this miſtake of forming a wrong judgment, by conceiving too good an opinion, and not having a competent knowlege of mankind!

Theſe

Theſe are the ſouls on whom opulence would be well beſtowed did they but attain to this true knowlege of men in time; but the unhappineſs theſe people labour under is, their bounty generally exceeds the limits of their fortune, and which in the end muſt conſequently occaſion them to labour under a ſeries of misfortunes: but alas, when this is the caſe, too late they find, like poor Timon, that they were deceived, and that, for the generality, the modern profeſſions of ſervice (which are erroneouſly called friendſhip) are but mere vapours, and that no longer than "dum fervet olla vivit amicitia."

The

The covetous moroſe man, by his natural diſpoſition, is ſecured againſt miſhaps of this kind, which plainly proves what I have aſſerted, that it is the nobleſt ſouls who are the moſt incident to them, and in conſequence the more worthy our compaſſion.

I firmly believe many of my fellow-creatures now groan under the anguiſh of impriſonment, who never premeditated injury to any man: but no one can repel misfortunes; and in my opinion, more perſons are brought to this grievous ſituation through good-nature and their open diſpoſitions, than by any other indiſcreet means; and therefore I do not look

look upon every man who is in priſon (as the major part of the world do) to be a villain; as certainly no one is ſo, in the ſtrict ſenſe of the word, but he who purpoſely does ill: but even to the worſt we ſhould be merciful, if we ever expect mercy.

The obloquy, or unjuſt reproach, with which the inconſiderate part of mankind load the unfortunate man, is very often the cauſe of his entire deſtruction; when, at the ſame time, theſe people, for the generality, are entirely unacquainted with the original ſource from whence his misfortunes ſprung; which plainly ſhews how cautious we ſhould be in condemning any one, ſince humanity towards

towards our fellow-creatures ſhould influence us to put the moſt favourable conſtruction on their misfortunes.

The Romans, as muſt every other people, found the inconveniency of this cruelty towards debtors; and therefore, in that year when C. Petilius and L. Papyrius were conſuls, paſſed an act, the very words of which I have thought proper to quote from Titus Livius, "Item, That "for lent money, &c. the goods "of the debtor, and not the body, "ſhould be obliged. So they that "were in bondage became releaſed "and enlarged: and order was taken "for the time to come, that none "ſhould be impriſoned by their cre-"ditors again."

In almoſt every country except our own, there is a time ſtipulated for the confinement of debtors; or the creditors are obliged to ſupport them during the time of their impriſonment, according to ſituation of life in which they have before lived: but with us, the man who meets with misfortunes, and is reduced to the lamentable ſituation of which I have been treating, is uſed with more barbarity than even infidels ſhew to their ſlaves: for although theſe people make them work, yet they give them ſufficient to ſupport nature; but impriſoned bankrupts, as I have before mentioned, have no allowance whatever.

That

That we, who boaſt ourſelves a free people, ſhould be ſo very remiſs in not endeavouring to alleviate the miſeries of our own community is ſurprizing; and it muſt be allowed an unpardonable neglect or cruelty in that perſon under whoſe immediate authority b—k—pts were, not to aim at ſome method to prevent any of his fellow-creatures from falling into this miſerable ſituation, as it never could be the intent of the Act: but if we reflect, we ſhall ceaſe to be ſurprized, that thoſe who, inſenſible to the dictates of humanity, would prevent their having any benefit from an Act of Inſolvency, ſhould, for the very ſame reaſon, think them unworthy of other relief.

As it is indiſputable that liberty is one of the moſt eſſential bleſſings on this ſide heaven, how much then is the ſituation of theſe unhappy people to be lamented!

We may ſee how lively a ſenſe the great Mr. Dryden had of it, from a paſſage in his Don Sebaſtian, where he ſays,

——" Oh give me dear liberty:
" For was even paradiſe my priſon,
" Still would I ſtrive t' o'ertop thoſe
" chryſtal walls."

Upon the whole, theſe miſerable wretches are in the moſt calamitous condition of any his Majeſty's ſubjects, and truly worthy the notice of the

the legiſlature; particularly the laſt mentioned, as I am convinced it never was the intent of the Act, that any one creditor ſhould have it in his power to impriſon him for life, who, under his commiſſion of bankruptcy, delivered a juſt and faithful ſchedule.

I am credibly informed there are at this preſent time ſome hundreds of people confined in the different gaols of this kingdom, who, being excepted againſt in Acts for the relief of debtors, have no hopes or proſpect of ever obtaining their liberty. In this deplorable condition are bankrupts, inſolvents owing upwards of five hundred pounds to one creditor, contempts of court (eccleſiaſtical and chancery),

chancery), debts to the crown, ſmugglers, &c. How noble and meritorious an action would it then be, how worthy of the loveliest character that can adorn the moſt exalted ſtation, and intitles it not only to the praiſes and veneration of the preſent times, but allows it to extend its claim on generations yet unborn, to wit, The Friend of the Friendleſs, the Reliever of the Diſtreſſed; how noble, I repeat, if ſome humane breaſts, touched with compaſſion at the miſery of their fellow-creatures, would bring in a bill for the relief of thoſe debtors who were excluded the Act of Inſolvency! They would thereby make themſelves the idols of the ſubjects in general; have the conſtant bleſſings of theſe people in par-

ticular; and at this critical juncture make a great number of wretches useful to the community, who are at present no more so, than if they were not human beings.

I am, with due deference,

My Lords and Gentlemen,

Your most devoted and

obedient Servant,

A CITIZEN.

FINIS.

A CITIZEN.

FINIS.

BRITISH MUSEUM